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Report of the second review of the Statement of Mutual Commitments between the Government of Guinea and the Peacebuilding Commission

(April 2012 to April 2014)

I. Introduction

1. The Statement of Mutual Commitments for peacebuilding in Guinea, concluded on 23 September 2011 between the Government of Guinea and the United Nations Peacebuilding Commission, sets forth the commitments made by the two parties with respect to the three peacebuilding priorities, namely: (a) promotion of national reconciliation and unity; (b) reform of the defence and security sector; and (c) policy on employment of youth and women. The Commission's work in these three areas is supplemented by the activities identified in the second peacebuilding priority plan and financed by the Peacebuilding Fund.

2. The conclusions and recommendations of the first review of the Statement of Mutual Commitments (PBC/6/GUI/2) were adopted in June 2012.

3. The aim of this second review is to take stock of the progress made since the first review, including the main achievements, opportunities and future prospects, and to make recommendations for Guinea's subsequent commitment to the Peacebuilding Commission.

II. Review of progress made in the three peacebuilding priority areas

4. The country has made significant progress during the reporting period. The reforms undertaken by the Government demonstrate its strong will to work towards greater democracy and political and economic stability. The most significant achievement was that legislative elections were held on 28 September 2013, followed by the establishment of the National Assembly on 13 January 2014.

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5. The implementation of mutual commitments with support from the Peacebuilding Fund and other partners has improved the sociopolitical climate in the country considerably, by building trust between political stakeholders, local people and the defence and security forces, and by empowering youth and women to participate in governance.

A. Promotion of national reconciliation and unity

6. A political agreement, signed on 3 July 2013 by Guinea's main political stakeholders, paved the way for the legislative elections held on 28 September 2013, the final results of which were announced by the Supreme Court on 15 November 2013, thus allowing the National Assembly to be established on 13 January 2014. The Peacebuilding Commission and other international partners have supported the dialogue process, facilitated by the Special Representative of the Secretary-General for West Africa, Mr. Said Djinnit, and assisted by Mr. Salifou Sylla and Mr. Aboubacar Somparé, as the national co-facilitators. The main international partners in Conakry were witnesses to the aforementioned agreement. For its part, the Guinea configuration held two meetings to support the organization of elections. At the first meeting, on 3 May 2013, the configuration expressed its support for the facilitation efforts of the Special Representative of the Secretary-General, and encouraged Guinean stakeholders to move towards a consensus. At the second meeting, held on 11 July 2013, the configuration renewed its commitment to mobilize the resources needed for the elections.

7. The configuration also adopted five public statements, marking decisive moments in the electoral process, namely 6 March, 7 May, 8 July, 17 September and 24 October 2013. Members of the configuration contributed to the election budget directly or through the trust fund managed by the United Nations Development Programme. As for the Peacebuilding Fund, it helped to finance several projects supporting the electoral process. These included confidence-building between political parties and the electorate; international facilitation efforts; programmes to calm the social situation and to promote media synergy; a project for election monitoring by women ('case de veille'); and programmes to monitor respect for human rights, to ensure the security of the electoral process, and to train polling station officials. The combined effects of these different activities reassured the various stakeholders involved in the electoral process and led to the legislative elections taking place in a relatively calm atmosphere.

8. There has not been any major progress in the national reconciliation process during the period under consideration. The legislative elections were seen as an essential first step before the national reconciliation process could be successfully completed. However, the Provisional National Reconciliation Commission has continued its preparatory work. The United Nations and the Peacebuilding Fund have helped to build: (a) the capacities of the co-Chairs of the Interim Committee to support the reconciliation and transitional justice process; (b) the capacities of civil society organizations involved in the national reconciliation process based on a transitional justice mechanism; (c) the capacities of key stakeholders and existing national and local mechanisms to prevent and peacefully resolve conflicts; and (d) the capacities of stakeholders to mainstream the legal aspects of violence against women into the transitional justice processes, including national consultations. In addition, the Fund has pledged resources for the national consultations to be

undertaken by the Provisional Commission, with a view to implementing the transitional justice mechanisms that promote reconciliation.

9. The establishment of the Ministry of Human Rights and Civil Liberties is an important achievement in this area. The Ministry has contributed significantly to peacebuilding efforts before, during and after the elections by: (a) launching non-violence awareness-raising campaigns; (b) making the media aware of its responsibilities when covering the electoral process; (c) establishing a monitoring committee; (d) establishing a mechanism to monitor human rights violations; and (e) following up cases of human rights violations.

10. Progress has been made in combating impunity during the period under consideration: the panel of judges investigating the violence of 28 September 2009 has now brought charges against some military officials. Thanks to the Peacebuilding Commission, urgent reparations have been made to some victims' associations and a victims' database has been compiled. The expert team of the Special Representative of the Secretary-General on Sexual Violence in Conflict, with the help of the Office of the United Nations High Commissioner for Human Rights, continues to support the panel. As an example of its investment in this area, the Government has confirmed it will provide resources to support the panel's activities for the financial years 2013 and 2014. In addition, the appearance of the Guinean delegation before the Committee against Torture in Geneva on 7 May 2014 is a clear sign that the Government is committed to respecting human rights and fundamental freedoms.

11. New challenges must be addressed to consolidate gains made and to ensure that the peacebuilding process does not suffer any setbacks. It is necessary to be vigilant in combating violations of human rights and civil liberties. Furthermore, the scale of the violence that marked the pre-election period was indicative of the crisis of confidence between political stakeholders, communities and political organizations prior to the dialogue and agreement of 3 July, underlining the fragility of the sociopolitical situation.

12. Serious communal or identity-based violence, linked to the exploitation of natural resources and access to land and basic social services, has flared up over the last three years, highlighting the fragility of the social fabric in Guinea and the need to strengthen the authority and legitimacy of the State, including the security forces and the justice system.

13. Conflict mapping reveals geographic differences in the levels of violence seen. Particular attention should be paid to the Guinée forestière region given the frequency of clashes and the concentration of risk factors there.

14. Opportunities to promote the cause of national reconciliation include:

(a) The existing political will to support the national reconciliation process;

(b) The institutional basis for transitional justice and national reconciliation in the mission statement of the Ministry of Human Rights and Civil Liberties;

(c) The decided interest of the National Assembly in engaging in the process of national reconciliation and unity;

(d) The particular interest of civil society organizations in taking ownership of the national reconciliation process;

(e) The confirmed willingness of the Peacebuilding Fund and other partners to support the reconciliation process;

(f) The concerns about possible conflict, human rights violations, election violence and gender-based violence during the 2015 elections;

(g) The availability of mechanisms and competencies to prevent and manage gender-based violence during elections;

(h) The existence of community-level mechanisms and institutions to prevent, manage and peacefully resolve conflicts;

(i) The support extended to Guinea to prepare for the universal periodic review;

(j) The support extended to Guinea to establish a national human rights institution.

B. Reform of the defence and security sector

15. Encouraged by the rapid and visible results achieved during the period covered by the first review, the Government has pursued its reforms of the defence and security sector. The President of the Republic continues to play a central role in the strategic orientation and management of the process. In this connection, he has presided over meetings of the Strategic Orientation Commission, which, in turn, has led to ownership at the highest level and the involvement of all stakeholders.

16. United Nations support for the President's efforts takes the shape of a high-level strategic advisor and his team, financed by the Peacebuilding Fund. As a result of the team's efforts a document has been prepared using indicators to assess security sector reform; there is greater coherence in the support provided to the Guinean authorities; the international community was actively involved in the Strategic Orientation Commission meeting; and there is ongoing consultation between the different partners involved. Other partners have also lent their support by providing strategists and relevant specialists. This support has helped to boost the activities of the National Steering Committee for Security Sector Reform. The progress made in implementing the process of democratic civilian oversight of the defence and security forces, in mainstreaming human rights in operations to maintain and restore law and order, in demilitarizing public administration and in reducing night-time shootings should be noted. There are also major initiatives to improve gender and human rights mainstreaming in the security sector reform process. These translate into efforts focused on the representation of women in the defence and security forces and on strengthening measures to protect women and girls, particularly from gender-based violence. Nevertheless, the lack of a gender equality monitoring mechanism within the existing institutional framework for security sector reform means that operational activities remain fragmented.

17. Various framework documents for the reform have been adopted in accordance with the President's strategic orientation. These documents include the follow-up report on tasks from the security sector assessment; the security sector reform policy text and declaration; the five sectoral policies; the national defence and security policy; and the national strategy for priority actions. The originality of these framework documents lies in the inclusive, participatory and comprehensive

approach adopted, based on wide national consultations with support from partners. The regional geopolitical context is marked by cross-border insecurity, growing threats of terrorism, the uncontrolled circulation of small arms and light weapons, and trafficking in persons, which requires greater professionalization of the defence and security forces.

18. Considerable progress has been made in the area of justice, namely: (a) the revitalization of the National Steering Committee for Justice Reform; (b) the ongoing revision of the penal code and the code of criminal procedure in the light of Guinea's international commitments; (c) the revision of the military justice code; and (d) the establishment of a supreme council of the judiciary. The national strategic policy on justice reform is in the process of being drafted.

19. There are still major challenges to overcome in order to consolidate the gains made in the area of security sector reform. These include mobilizing resources to implement the activities outlined in the national strategy; pursuing national ownership and broad-based political will; improving civilian-military relations and promoting human rights issues in the maintenance and restoration of law and order; and mainstreaming the principle of gender equality in the security sector reform process.

20. With the support of the Office of the Special Representative of the Secretary-General for West Africa and other international partners, the Heads of State of the countries of the Mano River Union developed a cross-border security strategy, which was adopted on the sidelines of the summit of the Economic Community of West African States held in Dakar, on 25 October 2013. That strategy now needs to be implemented.

21. Significant challenges remain in the area of justice reform, namely: (a) revitalizing the organizational structure for reform; (b) finalizing the national policy; (c) coordinating partners' efforts and mobilizing resources; and (d) strengthening the penal process and military justice, and pursuing transitional justice efforts. In addition, the Guinean Government has launched an ambitious justice reform process, for which it sought the support of the United Nations. A United Nations inter-agency mission visited Conakry in January 2014 to discuss further the nature of this support for security sector and justice reform. The mission has also been in contact with the European Union, which is the main international partner for justice reform.

22. The main factors that can be used to advantage in continuing security sector reform are:

(a) The political leadership at the highest level shown by the President of the Republic;

(b) The ownership of security sector reform demonstrated by civilian and military authorities;

(c) The existence of a legal and institutional framework to be used as a reference for implementing the measures proposed;

(d) The establishment of the new National Assembly, which is expected to move legislative aspects of security sector reform and civilian oversight of defence and security forces forward;

(e) The ongoing support of the United Nations, including the involvement of a high-level strategic advisor in security sector reform;

(f) The involvement of other partners, including the lead role played by the European Union in justice reform.

C. Policy on employment of youth and women

23. The third poverty reduction strategy paper for 2013-2015 was endorsed by the Guinean Government on 2 May 2013 and is the basis for commitments from its international partners, such as the World Bank and the African Development Bank, in the area of cooperation for Guinea's socioeconomic development.

24. The Republic of Guinea organized a conference of partners and private investors in Abu Dhabi on 24 and 25 November 2013, in partnership with the African Development Bank, the United Nations Development Programme, the World Bank and the authorities of the United Arab Emirates. The conference was an opportunity to present the country's vision for its development based on its comparative advantages, such as its young population and abundant natural resources.

25. Similarly, the ministries in charge of the policies for the empowerment and employment of youth and women have continued their efforts to coordinate and improve the regulatory framework, while implementing employment projects and programmes.

26. The Peacebuilding Fund has continued to support: (a) reintegration of young former soldiers through training and support for access to employment; (b) socioeconomic reintegration of youth and women through 3,500 temporary jobs in activities related to sanitation and upgrading of public spaces as part of a labour-intensive strategy; (c) the creation of a national directorate of centres for the empowerment and development of women; and (d)research into employment opportunities in the mining and agricultural sector as part of the peacebuilding agenda, as requested by the Guinean Government.

27. All of the aforementioned projects have turned youth and women into peacebuilding and development actors, meaning they are no longer vulnerable and open to manipulation by groups with vested political and economic interests. The projects undertaken have also sparked interest from technical partners and national and international financial backers, evidenced by the launch of related initiatives by the Government, the World Bank, the Japan International Cooperation Agency, Afriland First Bank, etc. In fact, nearly $70 million has been mobilized for additional activities.

28. There are still new challenges to be addressed, namely: (a) the coordination of employment initiatives and interventions for youth and women; (b) the promotion of the principle of citizenship among political and social structures for youth and women, particularly in mining areas; (c) the empowerment of youth and women; (d) the State's commitment to improving basic social services; (e) the provision of training related to the culture of peace, citizenship, leadership and entrepreneurship; (f) the provision of vocational training in line with the needs of mining companies and other booming sectors; and (g) the review of the national youth employment policy.

29. The major advantages to be pursued in order to promote employment of youth and women are:

(a) The momentum created by the presentation of Guinea's national vision for its development, as presented at the conference for Guinea's partners and private investors in November 2013;

(b) The ongoing willingness of the World Bank, the African Development Bank and other partners to work with the Peacebuilding Commission and Fund to support national priorities, particularly in the agricultural and mining sectors;

(c) The efforts to coordinate and improve the regulatory framework of the ministries in charge of employment policies for youth and women;

(d) The existence of a subregional forum for youth employment and the empowerment of women;

(e) The arrival of mining companies, leading to job opportunities and a better local socioeconomic situation.

III. Conclusions and recommendations

30. While reaffirming the continued validity and relevance of the recommendations and mutual obligations contained in the Statement of Mutual Commitments adopted on 23 September 2011 and in the first review carried out in 2012, as well as the importance of fully implementing those commitments, the Guinea configuration of the Peacebuilding Commission could, in the coming months, focus on a number of specific objectives within the three priority areas for the sake of greater efficiency and effectiveness.

31. National reconciliation and unity: in 2014, the Guinea configuration should give new impetus to its support for the national reconciliation and unity process, for example by organizing a meeting to revitalize the approach and boost the operational capacity of the Provisional National Reconciliation Commission, in particular with a view to developing a consensus-orientated methodology for the national reconciliation process and its associated mechanisms. It should also promote community-based reconciliation initiatives and ensure women's participation in those initiatives. The configuration may, in the light of the forthcoming local and presidential elections, wish to support the efforts of Guinean and international stakeholders to build on the lessons learned from the organization and conduct of the 2013 legislative elections, based on the implementation of the agreement of 3 July 2013. It could also support the capacity-building efforts of the National Assembly. The support provided must also focus on the fight against impunity by ensuring, inter alia, the full implementation of the joint communiqué on combating violence signed between the Guinean Government and the United Nations in November 2011 and the national strategy to combat gender-based violence, and by bolstering the panel of judges investigating the violence of 28 September 2009. The configuration must also capitalize on the election monitoring efforts by women, and the programmes to monitor respect for human rights during the elections. It should assist the National Assembly and the Government with the establishment and revitalization of constitutional institutions in order to strengthen democracy and the rule of law. Lastly, the configuration should support Guinea in its efforts to promote and protect human rights by organizing human rights forums.

32. Reform of the security sector: in 2014, the configuration should continue to provide support for the completion of the priority actions listed in the corresponding national strategy by improving the coordination of interventions, promoting national ownership, and establishing a monitoring and evaluation system that involves centres for the victims of gender-based violence. In addition, efforts to increase the representation and participation of women in the defence and security forces and to protect women and girls must be backed by a suitable institutional and regulatory framework. The strategic adviser should continue to provide support for the reform of the justice system and the penal process. The case for strengthening security sector reform must continue to be made among the traditional key authorities involved in national defence (the police, gendarmerie, customs and environmental protection services) and among non-State actors as well. Work to restore people's trust in the defence and security forces must continue, as must capacity-building to promote good governance, respect for human rights and democratic civilian oversight of the defence and security forces. Efforts must be made to ensure that the benefits of security sector reform are fully appreciated. Cross-border security must be strengthened through the provision of technical, material and logistical support.

33. Employment of youth and women: in 2014, the configuration should shore up its support for the mobilization and effective delivery of resources, including by leveraging the momentum generated by the conference of Guinea's development partners and investors, and by working with international partners such as the World Bank or the African Development Bank. The configuration should continue to encourage and support the implementation of mechanisms for coordination and dialogue among stakeholders and the establishment of a public-private partnership to develop, in particular, the mining sector. It should also continue to identify activities conducive to peacebuilding that could also benefit communities, youth, women and mining companies, with a view to creating sustainable decent jobs for youth and women in fields such as sanitation and agriculture and that help to improve security. Efforts must be made to promote labour-intensive projects that employ youth and women and to boost educational initiatives that promote citizenship and non-violence.